

REMARKS

Claims 1 - 18 are pending the application; all claims stand rejected. By this Amendment Claim 2 has been amended and new Claim 19 has been added. These amendments and new claims add no new matter to the application.

Claim 2 is rejected under 35 USC 112 as allegedly indefinite for the phrase "such as"; Applicant respectfully traverses this rejection, but in the interest of early arrival at a definition of allowable subject matter, Claim 2 has been amended to remove the phrase "such as" and to place the limiting subject matter appearing after that phrase in a new dependent claim 19. Claims 2 and 19 are therefore believed to be in condition for allowance, and reconsideration and allowance are requested.

Claims 2 and 8-18 stand rejected under 35 USC 102e over Ziff; Applicant respectfully traverses this rejection. The Ziff reference was filed on March 15, 2000, several months after the effective priority for the application being examined; Ziff is therefore not available as a 102e reference in this case, and should accordingly be withdrawn as a cited reference. Applicant filed the substance of this present 111a application as provisional application 60/165,140 on November 12, 1999 and that substance, at least as currently claimed, was not significantly altered upon the 111a filing on November 10, 2000. The substance of the support for the current claims was therefore on file in the US PTO several months before Ziff was filed, and Claims 2 and 8-18 are therefore believed to be in condition for allowance, and reconsideration and allowance are requested.

Claims 1, 4 and 6 stand rejected under 35 USC 103 over Asplen; Claims 3, 5 and 7 stand rejected over Asplen, in view of other cited references; Applicant respectfully traverses these rejections. Claims 1 and 3-7 all explicitly require:

A system for automatically summarizing company innovations;
that uses intelligent agents to automatically perform searches on the Internet;
that the searches find competing or encroaching ideas;
and that the system generate reports which list potential competitive strengths or weaknesses.

The Examiner argues conclusorily that the Asplen reference teaches all of these requirements and directs us to read Asplen column 3, lines 10-27 and Figures 1-5. The undersigned has diligently reviewed the cited reference, and in particular column 3, lines 10-27 and Figures 1-5, but finds no discussion at all of the above requirements. Asplen is a reference directed to a product planning system. It offers no discussion of innovation, innovations, or the need for summarizing company innovations. It does not discuss or suggest use of intelligent agents to automatically perform searches on the Internet, or anywhere else for that matter. And there is no discussion of searches anywhere that find competing or encroaching ideas. Finally, the Asplen system does not teach generation of reports which list potential competitive strengths or weaknesses.

Asplen offers no discussion of innovation, or summarizing company innovations; it only speaks of products, and does not teach any level of required innovation for any such products, or even that any "products" require, or would benefit from, any level of innovation at all, and there are no discussions of summarization. Asplen does not discuss or suggest use of intelligent agents to automatically perform searches on the Internet, or anywhere else for that matter; Asplen specifically teaches that any evaluation must be down manually be a human evaluator, not an 'agent' as defined by the specification, and certainly not 'automatically'. Asplen contains no discussion at all of searches anywhere that find competing or encroaching ideas. Asplen does not teach generation of reports as defined in the specification, but only certain manually customized letters to submitters of product ideas and only as to the status of their submission. Asplen does not teach listing potential competitive strengths or weaknesses, either in such letters or anywhere else. Claims 1 and 3-7 are therefore not anticipated by or rendered obvious by any of the cited references and are believed to be in condition for allowance; reconsideration and allowance are requested.

Applicant believes that it has responded fully to all of the concerns expressed by the Examiner in the Office Action, and respectfully requests that new Claims be entered and examined, and that early favorable action be taken on all claims pending in the application. Applicant respectfully requests reexamination of all rejected claims and early favorable action on

them as well. If the Examiner has any further concerns, Applicant requests a call to Patrick Dwyer at (206) 550-4049.

Respectfully submitted,



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